

## PATENT APPLICATION

4115-131

In the Claims:

1. (Currently amended) A An isolated polypeptide that induces ~~modulates~~ ~~programmed~~ cell death in vitro, consisting of ~~comprising~~ an amino acid sequence selected from the group consisting of SEQ ID NO: 1, SEQ ID NO: 2, ~~SEQ ID NO: 3~~ and ~~SEQ ID NO: 4~~, ~~SEQ ID NO: 5~~ and SEQ ID NO: 8.

2. (Currently amended) A composition comprising a an isolated polypeptide as of claim 1 and a pharmaceutically acceptable carrier thereof.

3. (Currently amended) The isolated polypeptide according to claim 1, wherein the amino acid sequence is SEQ ID NO: 2 or SEQ ID NO: 8.

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13. (Withdrawn for rejoining and currently amended) A ~~An~~ invitro-method for screening a potential cellular ~~apoptosis-inhibiting~~ compound to determine its ~~for determining its~~ utility as a therapeutic agent for treatment of diseases associated with increased ~~programmed~~ cell death, the method comprising:

(a) contacting a cell which expresses a protein consisting essentially of ~~including~~ at least one amino acid sequence selected from the group consisting of SEQ ID NO: 1, SEQ ID NO: 2, ~~SEQ ID NO: 3~~, ~~SEQ ID NO: 4~~, ~~SEQ ID NO: 5~~ and SEQ ID NO: 8 with the test compound; and

(b) determining the level of cell death, ~~apoptosis-activity of the cell~~, wherein a decrease in cell death activity identifies a compound that reduces cell death ~~inhibits apoptotic activity~~.

14. - 17. (Cancelled)

18. (Withdrawn for rejoining and currently amended) A method for preventing or treating a disorder associated with decreased cell death ~~apoptosis~~ comprising:

(a) administering to a subject in need of such treatment a pharmaceutical composition comprising a an isolated polypeptide consisting essentially of ~~including~~ at least one amino acid sequence selected from the group consisting of SEQ ID NO: 1, SEQ ID NO: 2, ~~SEQ ID NO: 3~~, ~~SEQ ID NO: 4~~, ~~SEQ ID NO: 5~~ and SEQ ID NO: 8.

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19. (Cancelled)

20. (Currently amended) ~~A~~ An isolated variant of polypeptide that modulates programmed cell death, the polypeptide comprising SEQ ID NO. 2 and variants thereof, wherein the variant is characterized by (1) at least 90 60-% homology to SEQ. ID NO. 2, (2) a conserved carboxy end region having an amino acid sequence of amino acid residues 39 to 53 of SEQ ID NO. 2, and (3) conservative changes in any amino acid substitutions and (4) induces cell death having apoptotic activity.

21. (Currently amended and withdrawn for rejoining) A method for inducing cell death in vitro ~~modifying the apoptotic activity of a cell,~~ the method comprising contacting the cell with a an isolated polypeptide consisting essentially of comprising SEQ ID NO. 2 or and variants thereof, wherein the variants are characterized by having (1) at least 60 90 % homology to SEQ. ID NO. 2, and (2) a conserved carboxy end region having an amino acid sequence of amino acid residues 39 to 53 of SEQ ID NO. 2 and in a sufficient amount to induce cell death ~~modulates apoptotic activity.~~

22. (Currently amended) An ~~apoptotically active~~ isolated polypeptide that induces cell death consisting of having an amino acid sequence of SEQ ID NO. 2 and variants having at least 90% homology to SEQ ID NO. 2 having apoptotic activity.

23. (Currently amended and withdrawn for rejoining) A method of generating an antibody, comprising:

(a) introducing a an isolated polypeptide of claim 20 into an immunocompetent animal in an amount sufficient to induce an immune response; and

(b) recovering from serum of the immunocompetent animal antibodies generated in response to the polypeptide of step (a) and that bind therewith.

24. (Currently amended and withdrawn for rejoining) ~~A~~ An in vitro method for screening a ~~potential cellular apoptosis-inhibiting compound to determine its for determining it~~ utility as a therapeutic agent for treatment of diseases associated with increased-programmed cell death, the method comprising:

(a) contacting a cell which expresses a polypeptide of claim 20 with the test compound; and

(b) determining the level of cell death, ~~apoptosis activity of the cell,~~ wherein a decrease in activity identifies a compound that inhibits apoptotic activity.

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25. (Currently Cancelled)
26. (New) An isolated polypeptide that induces cell death *in vitro* comprising SEQ ID NO: 8.
27. (New) A composition comprising an isolated polypeptide as of claim 1 and a pharmaceutically acceptable carrier thereof.
28. (New) An isolated variant of the polypeptide of claim 26, wherein the variant is characterized by (1) at least 90 % homology to SEQ. ID NO. 8, (2) conservative changes in amino acid substitutions and (3) induces cell death.
29. (New) A method for inducing cell death *in vitro*, the method comprising contacting the cell with an isolated polypeptide consisting of SEQ ID NO. 8 in a sufficient amount to induce cell death.
30. (New) A method of generating an antibody, comprising:
- (a) introducing an isolated polypeptide of claim 26 into an immunocompetent animal in an amount sufficient to induce an immune response; and
  - (b) recovering from serum of the immunocompetent animal antibodies generated in response to the polypeptide of step (a) and that bind therewith.
31. (New) An *in vitro* method for screening a test compound to determine its utility as a therapeutic agent for treatment of diseases associated with increased cell death, the method comprising:
- (a) contacting a cell which expresses the polypeptide of claim 26 with the test compound; and
  - (b) determining the level of cell death, wherein a decrease in cell death identifies a compound that does not induce cell death.
32. (New) A method for inducing cell death *in vitro*, the method comprising contacting the cell with an isolated polypeptide consisting of SEQ ID NO. 1 in a sufficient amount to induce cell death.
33. (New) A method for inducing cell death *in vitro*, the method comprising contacting the cell with an isolated polypeptide consisting of SEQ ID NO. 2 in a sufficient amount to induce cell death.